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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Registered application of: : Group Art Unit: 2151  
Inventor Name: Chen et al. : Examiner: TBD  
Serial Number: 09/675,628 : Case: 28787.3  
Filed: September 29, 2000 : David L. McCombs  
HAYNES AND BOONE, L.L.P.  
Title: INTERACTIVE TOPOLOGY GRAPHS : 901 Main Street, Suite 3100  
FOR VISUALIZATION AND CHARACTERIZATION : Dallas, Texas 75202-3789  
OF SONET CONSUMPTION PATTERNS

RESPONSE AND TRANSMITTAL OF NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

Commissioner of Patents  
**ATTENTION: Initial Patent Examination Division**  
Washington, D. C. 20231

Dear Sir:

In response to the Notice of Omitted Item(s) in a Nonprovisional Application Filing Date Granted mailed March 30, 2001 regarding the above-identified application, enclosed are the following:

1. The return copy of the Notice of Omitted Item(s) in a Nonprovisional Application;
2. five sheets of formal drawings;
3. an original and one copy of this Transmittal letter; and
4. a return postcard.

The Commissioner is hereby authorized to charge the \$130.00 petition fee and any further fees that may be associated with this communication to Deposit Account No. 08-1394.

Respectfully submitted,

Date: 5.29.01

David L. McCombs  
Registration No. 32,271

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231

on

5-29-01  
Gayle Conner



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/675,628	09/29/2000	Chuxin Chen	28787.3

CONFIRMATION NO. 9579

## FORMALITIES LETTER



\*OC000000005919049\*

David L McCombs  
Haynes and Boone, L.L.P.  
Suite 3100  
901 Main Street  
Dallas, TX 75202-9918

Date Mailed: 03/30/2001

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **Figure 7** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing

figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

  
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE